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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON

In Re:

R & R TRUCKING, INC.,

Debtor.

Case No. 19-00473-FPC11

In Re:

RICARDO CANTU & ROSA CANTU

Debtors.

Case No. 19-01089-FPC11

DEBTORS' JOINT MOTION FOR AN
ORDER PERMITTING THE JOINT
ADMINISTRATION OF CASES AND
THE USE OF A CONSOLIDATED
MASTER MAILING LIST AND NOTICE
THEREOF

COME NOW Debtors, R & R Trucking and Ricardo & Rosa Cantu, by and through their respective attorneys, William L. Hames of Hames, Anderson, Whitlow & O'Leary, P.S. and Josh Busey of Bailey & Busey, PLLC, and jointly move for an order (a) providing for the joint administration of these cases for procedural purposes only, including the use of consolidated lists and that the Court maintain one file and 1 docket for these Chapter 11 cases under the lead case *In Re R & R Trucking, Inc.*; and (b) approving the use of a consolidated Master Mailing List. This motion is supported by the records and files herein and the declaration of Ricardo Cantu.

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I. BACKGROUND

1.1 On March 1, 2019, R & R Trucking filed a Chapter 11 bankruptcy proceeding in the Eastern District of Washington, with the cause number of 19-00473.

1.2 On April 26, 2019, Ricardo & Rosa Cantu, owners of R & R Trucking and personal guarantor on many of R & R Trucking's obligations, filed a Chapter 11 bankruptcy proceeding in the Eastern District of Washington, with the cause number of 19-01089.

1.3 Each of the Debtors are currently Debtors-in-Possession of their property and are operating as Debtors-in-Possession under §§ 1107(a) and 1108 of the Bankruptcy Code.

1.4 R & R Trucking, Inc. is a family owned business whose sole owner is Ricardo Cantu and who further has the sole voting power associated with R & R Trucking. Together, the Debtors operate an active agricultural trucking company with 35 tractor/trailer rigs and transport agricultural produce all over the United States. Ricardo & Rosa Cantu own all of the assets used by R & R Trucking. The real estate property is leased to R & R Trucking to allow the Cantu's to pay the mortgage on the property.

1.5 Debtor, R & R Trucking, has filed an order authorizing the use of cash collateral (ECF 25). A stipulated order granting the use of cash collateral was entered on 06/03/2019 (ECF 58). The cash collateral motion describes the background and structure of R & R Trucking along with the assets and primary secured creditors of R & R Trucking. The statements and facts incorporated in the cash collateral motion and accompanying declarations are fully incorporated into this motion.

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1 1.6 The primary creditor of R & R Trucking is Bank of Eastern Washington, a
2 branch of the Bank of Eastern Oregon. The Cantus are personal guarantors on that
3 debt. The Bank of Eastern Washington is owed approximately \$918,670.19.

4 1.7 R & R Trucking is also indebted to BMO Harris Bank, N.A., ENGS
5 Commercial Finance, Paccar Financial Corp. and Volvo Financial Services, a division of
6 VFS US, LLC. Ricard & Rosa Cantu are personal guarantors on each of those debts.

7 II. JURISDICTION

8 2.1 This Court has jurisdiction over this matter under 28 U.S.C. §157(b) and
9 1334. This matter is a core proceeding as defined in 28 U.S.C. § 157(b)(2)(A) and (O).

10 III. ARGUMENT

11 Joint Administration of These Cases Is Appropriate

12 3.1 Pursuant to FRBP 1015(b), if two or more petitions are pending in the same
13 court by a debtor or an affiliate, the Court may order joint administration of the cases.
14 Ricardo & Rosa Cantu have the sole and complete voting power over R & R Trucking,
15 Inc. Accordingly, each of the debtors are an affiliate of the other as determined by 11
16 U.S.C. §§ 101(2). Rule 1015(b) contemplates the joint administration of these cases.

17 3.2 The relief requested is appropriate because it will benefit the Debtors
18 estate as stated below:

19 a. Based on the integral relationship of the Debtors and the similarity
20 in their creditors, joint administration will lessen or reduce the administrative costs.

21 b. The Debtors business operations are closely related and a portion
22 of general administration and operational expenses are shared. Joint administration will
23 provide for efficiency and eliminate the need for duplicative notices, applications, motions
24 and orders.

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1 c. A consolidated master mailing matrix will best ensure that notice of
2 the proceedings will be comprehensively provided and lessen the administrative burden.

3 d. For the sake of clarity and simplicity, the Debtors request that only
4 one court file and one court docket be maintained, which file and docket should be the
5 file established for R & R Trucking, Inc.

6 e. Creditors and parties in interest will benefit from a reduction in costs,
7 efficiency, clarity and simplicity provided by the joint administration under the relief
8 outlined herein.

9 f. The court staff will be relieved of the burden of entering duplicative
10 orders and maintaining duplicative files.

11 g. The supervision and administration of these cases by the office of
12 the Trustee will be simplified by the joint administration.

13 IV. CONCLUSION

14 Based on the foregoing, the Debtors respectfully request the entry of an order
15 permitting joint administration, use of a consolidated Master Mailing List and such other
16 relief as the Court deems just and proper.

17 NOTICE

18 **IF YOU OBJECT TO THE RELIEF REQUESTED BY DEBTORS, YOU MUST**
19 **FILE A WRITTEN OBJECTION WITH THE CLERK OF THE ABOVE-ENTITLED**
20 **COURT AT P.O. BOX 2164, 904 W. RIVERSIDE, ROOM 304, SPOKANE, WA 99201,**
21 **ON OR BEFORE 24 DAYS (21 DAYS PLUS 3 DAYS MAILING) FROM THE DATE OF**
22 **THIS NOTICE, AND SERVE A COPY OF THE UNDERSIGNED AT P.O. BOX 5498,**
23 **KENNEWICK, WA 99336; AND TO THE US TRUSTEE AT THE US COURTHOUSE,**
24 **920 W. RIVERSIDE #593, SPOKANE, WA 99201.**

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1 **SHOULD YOU FAIL TO OBJECT AS SET FORTH ABOVE, PLEASE FURTHER**
2 **BE ADVISED THAT THE RELIEF REQUESTED MAY BE GRANTED WITHOUT**
3 **FURTHER NOTICE TO YOU.**

4 DATED this 7th day of October 2019.

5 HAMES, ANDERSON, WHITLOW & O'LEARY,
6 P.S.
7 Proposed Attorneys for Debtors/Debtors in
8 Possession

9 BY: /s/ William L. Hames
10 WILLIAM L. HAMES WSBA #12193

11 BAILEY & BUSEY, PLLC
12 Attorneys for Debtor Ricardo & Rosa Cantu

13 BY: /s/ Joshua Busey
14 JOSHUA BUSEY, WSBA #34312

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